

## JUSTICE REINVESTMENT TASK FORCE MINUTES FOR AUGUST 29TH, 2011

The Justice Reinvestment Task Force met for the first time at 2PM on August 29th, 2011 at Buena Vista State Conference Center. Task Force Chair Lieutenant Governor Matthew Denn chaired the meeting. In attendance were: Task Force members; R.L. Hughes of the Department of Safety and Homeland Security, Jay Lynch of the Department of Health and Social Services, Judge Andrea Rocanelli of the Court of Common Pleas, Colonel Michael McGowan of the New Castle County Police, Senator Liane Sorenson of the State Senate, Public Defender Brendan O'Neill, Representative Greg Lavelle of the State House of Representatives, Commissioner Carl Danberg of the Department of Correction, Senator Patricia Blevins of the State Senate, Justice Carolyn Berger of the State Supreme Court, Colonel Robert Coupe of the Delaware State Police, President Judge James T. Vaughn of Superior Court, Representative Melanie George of the State House of Representatives, and Judge Alan Davis, Chief Magistrate; Staff included; Drew Fennell, Executive Director of the Criminal Justice Council, Emily Cunningham of the Lieutenant Governor's Office, Pam Price of the State House of Representatives, Chris Kervick of the Criminal Justice Council, Ron Keen of the Criminal Justice Council, Maureen Monagle of the Criminal Justice Council, Terica Jones of the criminal Justice Council, Valarie Tickle of the Criminal Justice Council, Chuck Huenke of CJC/ Statistical Analysis Center, and Chuck Pugh of the Criminal Justice Council; Consultants included; Juliene James of the Vera Institute, and Suzanne Agha of the Vera Institute; Members of the public included; Johnette Graf of the Board of Parole, Kathleen Mac Rae of the ACLU-DE, Joanna Champney of SURJ, Mary Faith Welch, Richard Davidson, Rick Chamberlin of The Way Home Program, Inc., Charles Maddon of the Wilmington Hope Commission, and John Sweeney of the news Journal.

The Lieutenant Governor Matt Denn opened the meeting with a brief review of Governor Jack Markell's Executive Order #27 which created the Task Force. He indicated that there was much work for the task Force to do and that additional meetings prior to the January 31st, 2012 deadline might be needed. He added that the public would have as much access as possible through the meetings being public and through the meetings being recorded and available on the Lieutenant Governor's website. He further indicated that the public would be able to provide input through a process of public hearings.

Juliene James of the VERA Institute provided a brief overview of the mission of the Task Force. She also reported that individual meetings had been held with Task Force members in advance of the Task Force meeting and that goals had been offered by Task Force members at those meetings. Goals that had been offered by Task Force members were read aloud and divided into process goals as

well as more general goals. Julie James noted that the goals were commonalities, than differences.

Suzanne Agha of the VERA Institute presented a Data Analysis Update. She indicated that the data analysis would include arrest data, data in regard to pre-trial detentioners, pre-sentence detention population data, and sentenced inmate data. She indicated that an initial analysis of publicly available data had been completed. Retrieving administrative data from criminal Justice agencies was ongoing as were surveys and interviews with stakeholders. Once all of the data was obtained population and cost forecasting would follow. She indicated that the initial analysis several areas that merited further examination: A higher arrest rate for serious crimes in Delaware than in the United States as a whole; prison overcrowding and aging facilities; and a large detainee population (about 21% of the prison population at any given point in time).

Suzanne Agha provided a breakdown of the lead charge (as defined by DELJIS) against the 17,668 Department of Correction detention admissions in 2010. The breakdown was:

37% for Obstruction offenses such as Violation of Probation, Civil Contempt etc

8% drug offenses

8% Assault offenses

5% traffic offenses

18% local fugitive

24% other (such as Robbery, Weapons offenses, etc)

Additionally, a review of all of the admitting offenses revealed that 24% were Violent Felonies, 16% were Title 16 Drug offenses, and 1% was Sex offenses. Additionally, 30% of admissions include a Violation of Probation charge, but that the conditions violated is not clear from the data.

Suzanne Agha also indicated that VERA staff members have initiated surveys with probation officers and will also survey members of Department of Correction classification boards. She added that the surveys include questions in regard to the perspective of probations officers on program availability. The surveys are also an attempt to have probation officers report how they do their jobs. She said that about 98 survey responses have been received so far.

Some suggestions from Task Force members on areas to be examined:

Compare detention percentage of incarceration total to other states. VERA indicated they would attempt to make such a comparison.

On Violation of Probation admissions, break out the original crime. Carl Danberg indicated that the data on this is not very helpful.

Will the breakout of VOP's be of both detained and sentenced offenders? Suzanne Agha indicated that this would be a new data request.

The suggestion was made to survey judicial officers.

A question of what definition of recidivism would be used was raised.

A question of whether conviction data was available was raised. Suzi Agha replied that they would like to look at repeat offenders.

The question of what constitutes a "technical" violation was raised.

It was suggested that it would be helpful for public trust and confidence to have Department of Justice charging guidelines.

A suggestion was made to look at criminal justice processes across agencies.

Suzanne Agha indicated that more data analysis would be available at the September meeting and still more would be available at the October meeting.

Stakeholder outreach. Lt. Governor Denn noted that public hearings would be conducted throughout the state and suggested that the hearing coincide with Criminal Justice Council public hearings which are to be held in October or November. Suggestions were made to seek input from ex-offenders and to interview inmates.

Drew Fennell indicated that a new schedule of Task Force meetings would be distributed to check Task Force member's availability. She added that the new schedule would still be Mondays but that in some instances the proposed times would be mornings, and in other cases, they would be different Mondays of the month.

Public comment. Comments on the efforts of the Task Force were offered by Rick Chamberlin, Johanna Champney, and Charles Maddon

The meeting adjourned at 4PM.